

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW HAMPSHIRE**

RICHARD DASCHBACH and ELCINDA
PERSON, individually, and on behalf of all
others similarly situated,

Plaintiffs,

v.

Case No. 1:20-cv-706-JL

ADVANCED MARKETING &
PROCESSING, INC. d/b/a PROTECT MY
CAR, a Florida corporation,

Defendant.

**DEFENDANT’S ASSENTED-TO MOTION FOR ENTRY OF PROTECTIVE
ORDER REGARDING CONFIDENTIALITY OF DISCOVERY MATERIAL**

Pursuant to Federal Rule of Civil Procedure 26 and Local Rule 26.2, Defendant Advanced Marketing & Processing, Inc. d/b/a Protect My Car (“PMC”) moves for entry of the proposed and agreed Protective Order governing the confidentiality of material produced during discovery (the “Protective Order”) attached hereto, and in support thereof states as follows:

1. Federal Rule of Civil Procedure 26 authorizes a court to issue protective orders that, *inter alia*, govern the production and disclosure of trade secret or other confidential research, development, or commercial information. *See* Fed. R. Civ. P. 26(c)(1)(G).

2. In accordance therewith, the parties have agreed to entry of the proposed Protective Order.

3. Pursuant to Local Rule 26.2, Defendant advises that the proposed Protective Order conforms to Civil Form 5, except for Paragraph 4, which, in the place of the optional “Reading Room” language from Civil Form 5, provides that non-parties may designate

documents as confidential and thus have such documents treated the same under the Protective Order as if so designated by a party.

4. No memorandum of law is needed because this Motion is unopposed and the relief sought is within the discretion of the Court.

WHEREFORE, Defendant requests that the Court grant this Motion and enter the proposed agreed Protective Order governing the confidentiality of material produced during discovery.

STATEMENT OF CONCURRENCE PURSUANT TO LOCAL RULE 7.1(c)

Undersigned counsel for Defendant certifies that he reached out to counsel for Plaintiffs by email, most recently on April 13, 2021, to confer in good faith in an effort to obtain concurrence in the relief sought in this Motion, and Plaintiffs' counsel advised that Plaintiffs have no objection to the proposed Protective Order.

Dated: April 13, 2021

Steven J. Dutton (NH Bar. No.: 17101)
MCLANE MIDDLETON P.A.
900 Elm Street
Manchester, NH 03101
Telephone: (603) 628-1379
Email: steven.dutton@mclane.com

/s/ Roy Taub

Jeffrey A. Backman (Florida Bar No.: 662501)*

Roy Taub (Florida Bar No.: 116263)*

GREENSPOON MARDER LLP

200 East Broward Boulevard, Suite 1800

Fort Lauderdale, Florida 33301

Telephone: 954.491.1120

Facsimile: 954.343.6958

Email: jeffrey.backman@gmlaw.com

roy.taub@gmlaw.com

Attorneys for Defendant

Advanced Marketing & Processing, Inc.

*Admitted *pro hac vice*

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on April 13, 2021, I electronically filed the foregoing with the Clerk of the Court, using the CM/ECF system, which will send a notice of electronic filing to all counsel of record identified on the attached service list.

By: /s/ Roy Taub
Roy Taub

SERVICE LIST

V. Richards Ward, Jr.
NH Bar #14262
Law Office of V. Richards Ward, Jr., PLLC
39 North Main Street, Unit D-3
P.O. Box 1117
Wolfeboro, NH 03894
Rick@VRWardLaw.com
Telephone: (603) 569-9222

Patrick H. Peluso
Taylor T. Smith
Woodrow & Peluso, LLC
3900 E. Mexico Avenue, Suite 300
Denver, CO 80210
ppeluso@woodrowpeluso.com
tsmith@woodrowpeluso.com
Telephone: (720) 213-0676